

Amendment No. 2 to HB2414

Brooks H  
Signature of Sponsor

**AMEND Senate Bill No. 2387**

**House Bill No. 2414\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 2, Part 1, is amended by adding the following language as a new section:

(a) Public schools shall require that every restroom or locker room facility designed or designated for use by more than one (1) person at a time where students may be in various states of undress be designated for persons of a particular sex and used only by persons of that sex as indicated on the person's original birth certificate.

(b) Subject to subsection (a), an LEA may make appropriate accommodations with respect to use of restroom and locker room facilities by those who do not want to use those facilities in accordance with subsection (a).

(c) Subsection (a) shall not apply to any student who:

(1) On or before the effective date of this act, was already using school restroom or locker room facilities designated for the sex that is opposite to the sex designated on that student's original birth certificate; and

(2) Provides the public school with a statement by a physician stating that the student was born having 46,XX chromosomes with virilization, 46,XY chromosomes with undervirilization, or both ovarian and testicular tissue, or that the physician has determined through genetic testing that the student does not have the normal sex chromosome structure for a male or female.

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(d) Nothing in this section shall prohibit an LEA from designing or designating restroom or locker room facilities for use by one (1) person at a time. Such facilities may be designated for use by either sex.

(e) This section does not apply to a person entering a restroom or locker room facility designated for use by a particular sex:

- (1) For custodial purposes;
- (2) For maintenance or inspection purposes;
- (3) To render medical assistance;
- (4) To accompany a person needing assistance; or
- (5) That has been temporarily designated for use by individuals of the sex that is indicated on the original birth certificate of the person entering the restroom or locker room facility.

SECTION 2. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by adding the following language as a new section:

(a) Public institutions of higher education shall require that every restroom or locker room facility designed or designated for use by more than one (1) person at a time where students may be in various states of undress be designated for persons of a particular sex and used only by persons of that sex as indicated on the person's original birth certificate.

(b) Subject to subsection (a), a public institution of higher education may make appropriate accommodations with respect to use of restroom and locker room facilities by those who do not want to use those facilities in accordance with subsection (a).

(c) Subsection (a) shall not apply to any student who:

(1) On or before the effective date of this act, was already using school restroom or locker room facilities designated for the sex that is opposite to the sex designated on that student's original birth certificate; and

(2) Provides the public institution of higher education with a statement by a physician stating that the student was born having 46,XX chromosomes with virilization, 46,XY chromosomes with undervirilization, or both ovarian and testicular tissue, or that the physician has determined through genetic testing that the student does not have the normal sex chromosome structure for a male or female.

(d) Nothing in this section shall prohibit an institution of higher education from designing or designating restroom or locker room facilities for use by one (1) person at a time. Such facilities may be designated for use by either sex.

(e) This section does not apply to a person entering a restroom or locker room facility designated for use by a particular sex:

(1) For custodial purposes;

(2) For maintenance or inspection purposes;

(3) To render medical assistance;

(4) To accompany a person needing assistance; or

(5) That has been temporarily designated for use by individuals of the sex that is indicated on the original birth certificate of the person entering the restroom or locker room facility.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring

it.